FAR PROVISIONS RECOMMENDED FOR CONSIDERATION IN THE FAA REGULATORY REVIEW PROGRAM

ITEM 1

RULE CITATION AND SUBJECT	14 C.F.R. §121.368 – AGING AIRPLANE INSPECTIONS AND RECORDS REVIEW
Description of Rule	Requires demonstration to the Administrator that the maintenance of age-sensitive parts and components of the airplane has been adequate and timely enough to ensure that it is maintained in an airworthy condition.
Description of Shortcomings/ Adverse Effects on Air Carrier Operations	1. Scheduling conflicts between FAA inspectors and the carrier's maintenance visit schedule impede compliance with the regulatory requirement. 2. Addition of downtime added to accomplish this FAR. 3. Additional burden to produce records for this FAR requirement. 4. Based on current implementation and FAA resource constraints, it will not be possible to meet the initial December 2007 compliance deadline in the FAR.
Suggested FAA Regulatory Action	Adopt the inspection procedures and processes described in ATA's comments dated May 5, 2003 (FAA Docket 1999-5401).
Resource Savings	Could add up to millions of dollars over the life of an aircraft.

ITEM 2

RULE CITATION AND SUBJECT	14 C.F.R. §121.703 – MECHANICAL RELIABILITY REPORTS
Description of Rule	Requires the certificate holder to report occurrence or detection of failure, malfunction, or defects outlined in subparagraphs (1) through (17) of the FAR within a 72-hour period.
Description of Shortcomings/ Adverse Effects on Air Carrier Operations	This creates an undue burden on the certificate holder: 1. This requirement does not differentiate between significant areas of structure and other items that would fall within the broad definition of aircraft structure. As a result, operators are required to report many minor and insignificant conditions that do not affect the airworthiness or safe operation of their aircraft. 2. In some situations, particularly during aircraft heavy check, the FAR may force the certificate holder to

	submit an incomplete report followed by a supplemental report that includes the corrective action taken when the repair cannot be presented within the 72-hour reporting window. 3. Because the certificate holder is required to submit reports to the FAA within the 72-hour window of occurrence, this requirement leaves the carrier little time to evaluate/validate the report prior to submission to the FAA. 4. The usefulness of this requirement remains unclear. The lack of regulatory directives aimed at transport category aircraft attributable to this requirement suggests that the FAA does not find these data useful.
Suggested FAA Regulatory Action	At a minimum: 1. Clarify the intention of the rule to ensure that only "Primary" structure or damage to "Principle Structural Elements" (PSE) are reportable; and secondary structure, such as fairings and /or panels with no structural significance, are not reported. (We recognize that revisions to FAR 121.703 are currently under consideration at the FAA. We, however, believe that the foregoing interim action is essential.) 2. Allow the certificate holder to submit a fully completed mechanical reliability report 72 hours after the aircraft has been returned to service. Beyond the foregoing, examine the continuing usefulness of this reporting requirement and determine whether other, alternative information sharing arrangements—such as the lead-airline program and manufacturer onsite representation at carriers—achieve superior results.
Resource Savings	Removal of unnecessary reporting burden and unnecessarily accelerated reporting burden.

ITEM 3

RULE CITATION AND SUBJECT	14 C.F.R. §121.367 –MAINTENANCE, PREVENTIVE MAINTENANCE AND ALTERATIONS PROGRAMS
Description of Rule	Imposes maintenance program requirements on the certificate holder.
Description of Shortcomings/ Adverse Effects on Air Carrier Operations	The first paragraph of this FAR is confusing because it requires the certificate holder to have two separate maintenance programs as stated in the regulation: "inspection program and a program covering other maintenance, preventative maintenance and alterations." Most operators operate under an approved maintenance

	program or Continuous Airworthiness Maintenance Program (CAMP) that includes inspection, maintenance, preventive maintenance and alterations.
Suggested FAA Regulatory Action	Revise the first paragraph of FAR §121.367 as follows: "Each certificate holder shall have a maintenance program that ensures that..."
Resource Savings Expected	Cost savings attributable to consolidation of regulatory requirement.

ITEM 4

RULE CITATION AND SUBJECT	**14 C.F.R. §121.335(b) – EQUIPMENT STANDARDS**
Description of Rule	This rule tries to standardize the oxygen equipment supply and flow rate by referencing the Civil Air Regulation (CAR) from 1958 that has been incorporated into the certification rules (FAR Part 25).
Description of Shortcomings/ Adverse Effects on Air Carrier Operations	The rule (as interpreted by one local FAA office) requires flight attendant mobility bottles at all times to be at or above the minimum regulatory pressure because the preamble to the CAR states "flight altitudes", which means at any altitude the operator is required to have minimum pressure. However, other airlines are not subject to that interpretation when their aircraft are below FL250 because the CAR provision has been introduced into 14 CFR 25.1447(c) (4) "Equipment standards for oxygen dispensing units" and FAR 121.333(d) "Use of portable oxygen" which require the minimum pressure "Above flight level 250."
Suggested FAA Regulatory Action	Elimination of FAR §121.335(b) because its requirements are outdated.
Resource Savings Expected	Removal of outdated regulatory requirement.

ITEM 5

RULE CITATION AND SUBJECT	14 C.F.R. §121.613—DISPATCH OR FLIGHT RELEASE 14 C.F.R. §121.619—ALTERNATE AIRPORT FOR DESTINATION
Description of Rule	FAR §121.613 states that a flight may not be released unless weather forecasts indicate the weather conditions will be at or above minimums at the estimated time of arrival. FAR §121.619 specifies criteria to determine when an alternate airport is required. It requires a 2000 foot ceiling and 3 miles visibility for a "no alternate" operation. These requirements are not based on the airport or aircraft capabilities.
Description of Shortcomings/ Adverse Effects on Air Carrier Operations	FAR §121.613 does not allow carriers to operate some flights that can be safely completed to either the destination or alternate airport. Weather reports change, forecasts are not always accurate, and Runway Visual Ranges are not forecast at all. This can cause undue operational hardships, especially in the State of Alaska. FAR §121.619 requires the carrier to list an alternate, or multiple alternates, when no alternate is actually necessary. This causes the carrier to carry excess fuel, and therefore burn extra fuel.
Suggested FAA Regulatory Action	FAR §121.613 should be revised to allow the release of a flight without meeting the required approach minimums at the destination if an alternate is specified in the dispatch release. Exemption 3585 provides some relief for dispatch to low-weather conditions in a terminal area forecast, known as conditional remarks (i.e., TEMPO), but does not apply to the main body of a forecast. FAR §121.619 should be reviewed and revised to reflect the current aircraft and airport specific approach capabilities. For example, the minimums could be lowered to 500 feet and 1/2 mile greater than the lowest authorized and available approach.
Resource Savings	These changes would allow higher completion rates, fewer delays, and lower fuel burns.

ITEM 6

RULE CITATION AND SUBJECT	14 C.F.R. §121.333(C)(3)—SUPPLEMENTAL OXYGEN USE
Description of Rule	If for any reason at any time it is necessary for one pilot to leave the pilot's station at the controls of the airplane when operating at flight altitudes above Flight Level 250, the remaining pilot at the controls shall put on and use his or her oxygen mask until the other pilot has returned to his or her duty station.
Description of Shortcomings/ Adverse Effects on Air Carrier Operations	This rule does not recognize the existence and efficacy of quick-donning oxygen masks. Furthermore, because of the requirement for one pilot to get out of his or her seat to identify visually any person wishing to gain access to the flight deck before opening the door, pilots must repeatedly don and remove their oxygen masks.
Suggested FAA Regulatory Actions	When a pilot leaves his or her position when the aircraft is at altitudes at or below FL 410, the remaining pilot at the controls should not be required to put on and use his/her oxygen mask if it is a quick-donning mask. *Note:* the Effects of a revision to FAR §121.33 on FAR §91.211(b)(2) should be considered.
Resource Savings	Avoidance of repeated distractions to cockpit crew and wear-and-tear attributable to repeated removal and stowage of masks.

ITEM 7

RULE CITATION AND NAME	14 C.F.R. §121.652—Landing Weather Minimums
Description of Rule	This FAR requires a pilot in command to increase minimums by 100 feet and one-half mile (or the Runway Visual Range equivalent) if the pilot has not served 100 hours as pilot in command in operations under this part in the type of aircraft that he or she is operating
Description of Shortcomings/ Adverse Effects on Air Carrier Operations	This requirement unnecessarily restricts fully qualified pilots from routine Category I operations. The rule evolved during the transition to turbojet aircraft and is no longer warranted considering today's rigorous training standards. FAR §121.652 can cause a diversion to another airport or a less desirable runway, always requires distractions for re-dispatch, weather, fuel, etc., for what would otherwise be a routine Category I approach. Two additional considerations are important in evaluating this rule. First, in the 1990s, the FAA and air carriers

	spent a considerable amount of time examine crew-pairing issues and developed significant new principles as a result of that effort (see, e.g., 14 C.F.R. §121.438). Second, for over ten-years deviations from the 100 hours have been authorized based upon the use of an autopilot or flight guidance system to the decision altitude.
Suggested Regulatory Action	FAR §121.652 should be revised to state: "(a) If the pilot in command of an airplane has not served 100 hours as pilot in command in operations under this part in the type of airplane he is operating, the MDA or DH and visibility minimums in the certificate holder's operations specification for regular, provisional, or refueling airports are increased by one-half mile (or the RVR equivalent). The MDA or DH and visibility minimums need not be increased above those applicable to the airport provided the airplane autopilot or head-up guidance system is used to the published MDA or DH...." (New language underlined.)

ITEM 8

RULE CITATION AND NAME	14 C.F.R. §121.139—MANUAL ABOARD AIRCRAFT: SUPPLEMENTAL OPERATIONS
Description of Rule	Certificate holders that conduct supplemental operations must carry appropriate portions of the manual on each aircraft when away from the principal base of operations (this requirement is subject to the exception in FAR §121.139(b)). If a carrier elects to use a CD as the medium to store the required manual information, it must maintain a CD reader aboard the aircraft.
Description of Shortcomings/Adverse Effects on Air Carrier Operations	If the carrier has 24/7 maintenance control, maintaining a paper library aboard an aircraft is unnecessary. Similarly, maintaining a CD reading device aboard an aircraft is unrealistic in light of the current widespread use of CDs.
Suggested Regulatory Action	Eliminate these requirements. If obtaining a CD reader is a problem, the manual availability requirement should revert to maintenance control.

ITEM 9

RULE CITATION AND NAME	14 C.F.R. PART 1 AND §43.13, AND APPENDIX A—MAINTENANCE PERFORMANCE RULES
Description of Rule	Adopts rulemaking recommendations from the Technical Report authored by "The Clarification of Major/Minor

	Repairs or Alterations Working Group for Aviation Rulemaking Advisory Committee (ARAC)."
Description of Shortcomings/Adverse Effects on Air Carrier Operations	Major/minor classification of repairs and alterations have been a controversial enforcement and compliance issue since the issuance of Aeronautics Bulletins 7-A and 7H in 1931.
Suggested Regulatory Action	Adopt the ARAC Major/Minor Working Group's Technical Report Section 4, "Recommendations," Items 1 through 3. AC 120-77 should be clarified to address critical engine parts and their repairs and alterations in Items 1 and 5 of the above section.
Suggested Revision	Rely on the Technical Report, dated May 3, 2001, Section 4, "Recommendations," to develop the necessary revisions.
Resource Savings	Elimination of fines due to improper classifications. Reduction of labor and administrative hours for operators, original equipment manufacturers and the FAA.

ITEM 10

RULE CITATION AND NAME	14 C.F.R. PART 39—AIRWORTHINESS DIRECTIVES
Description of Rule	Addresses approvals for minor deviations from Airworthiness Directives when the deviation does not affect safety or appreciably affect the means of compliance.
Description of Shortcomings/Adverse Effects on Air Operations	Minor changes or minor deviations to the AD means of compliance are not permitted without obtaining an FAA-approved Alternative Means of Compliance (AMOC) to that AD.
Suggested Regulatory Action	Amend the appropriate section of 14 CFR Part 39 and revise FAA Order AIR-M-8040.1, ¶ 126 to permit minor changes or deviations that are not determined to be a significant change to the means of compliance by the operator's local FAA Certificate Management Office (CMO).
Suggested Revision	For alternative materials that do not significantly affect the means of compliance to the subject AD, and that have been determined to have properties equal to or greater than the specified material, approval may be granted by the operator's local FAA CMO.
Resource Savings	Aircraft and engine downtime would be reduced with a streamlined AMOC process.

ITEM 11

RULE CITATION AND NAME	14 C.F.R. §121.471—FLIGHT TIME REST REQUIREMENTS
Description of Rule	Interpretation requires that a pilot have 8 hours scheduled rest in any 24 hours of reserve duty.
Description of Shortcomings/Adverse Effects on Air Carrier Operations	Carriers are forced to employ extra pilots to comply with this requirement.
Suggested FAA Action	Modify interpretation
Suggested Revision	Pilots in a reserve status of up to 24 hours are considered to be free of duty, until assigned by the carrier
Resource Savings	Substantial savings in the reduced number of reserve pilots needed to cover scheduled operations

ITEM 12

RULE CITATION AND NAME	14 C.F.R. § 91.205 (b)(12)—PYROTECHNIC SIGNALING DEVICES
Description of Rule	FAR §91.205(b)(12) states that if the aircraft is operated for hire over water and beyond power-off gliding distance from shore, approved flotation gear must be readily available to each occupant, *and at least one pyrotechnic signaling device.*
Description of Shortcomings/Adverse Effects on Air Carrier Operations	This rule requires operators that do not operate with life rafts and survival equipment as required per FAR §91.509 to carry pyrotechnic signaling devices.
Suggested Regulatory Action	Revise rule to require pyrotechnic signaling devices only for aircraft operating under FAR §91.509. Clearly note that this revision means that aircraft on overland flights from airports such as LaGuardia are not subject to a requirement to carry pyrotechnic devices.
Suggested Revision	Revise FAR §91.205 (b) (12) to say "If the aircraft is operated for hire over water and beyond power-off gliding distance from shore, approved flotation gear readily available to each occupant, and if the aircraft is being operated pursuant to section 91.509, at least one pyrotechnic signaling device." (New language underlined.)
Resource Savings	Eliminates purchase of pyrotechnic devices; engineering, manufacture, approval, and installation of security boxes; incorporation into maintenance program; and special training for flight crews in the proper use

ITEM 13

RULE CITATIONS AND SUBJECTS	14 C.F.R. §121.391(a)—FLIGHT ATTENDANTS 14 C.F.R. §121.393(b)—CREWMEMBER REQUIREMENTS AT STOPS WHERE PASSENGERS REMAIN ONBOARD FSAT 01-03A
Description of Rules	The rules mandate the number of flight attendants required to be onboard an aircraft based on number of seats in the cabin (FAR §121.391) and how many flight attendants must be onboard during intermediate stops on through flights (FAR §121.393).
Description of Shortcomings/Adverse Effects on Air Carrier Operations	Inconsistent FAA guidance exists about the ability of flight attendants to step off the aircraft when passengers are onboard the aircraft to use the jet bridge phone or to perform other duties.
Suggested Regulatory Action	Confirm that minimum staffing levels at intermediate stops are governed by section 121.393, as stated in FAA Action Notice A8430.5, August 8, 1986, which describes minimum staffing levels and allows a flight attendant to step off the aircraft.
Suggested Revision	Confirm that flight attendants may leave the aircraft to conduct passenger related business as long as the engines are shut down and at least one floor level exit is open when staffing is reduced in accordance with FAR §121.393(b). Further confirm that a pilot, who is considered a qualified crewmember and is able to substitute during a through flight, may substitute for a flight attendant during an intermediate stop, including the boarding of the aircraft, in accordance with FAR §121.393(b).
Resource Savings	Allowing flight attendants to step onto the jet bridge at intermediate stops facilitates communications with ground personnel, reduces delays, and otherwise promotes the efficient utilization of personnel on through flights.

ITEM 14

RULE CITATION AND SUBJECT	14 C.F.R. §121.417(c)(2)(ii)(B)—CREWMEMBER EMERGENCY TRAINING
Description of Rule	Every 24 months, Recurrent Training must include a module on transferring each type of slide/raft pack from one door to another.
Description of Shortcomings/Adverse Effects on	Impractical that a crewmember would be able to execute the complex series of steps required to remove a slide/raft

Air Carrier Operations	from one exit, and install it in a post-ditching situation.
Suggested Regulatory Action	Eliminate the rule.
Resource Savings	Elimination of costs associated with: 1. Video production of slide raft transfer training 2. Time dedicated in Recurrent and Transition Training (approximately five minutes per program). This time could be better utilized on more relevant subjects 3. Removing pages in the Emergency Manual, thus saving printing costs

ITEM 15

RULE CITATION AND SUBJECT	**14 C.F.R. §121.434—OPERATING EXPERIENCE, OPERATING CYCLES, AND CONSOLIDATION OF KNOWLEDGE AND SKILLS**
Description of Shortcomings/Adverse Effects on Air Carrier Operations	A recent interpretation of 121.434 requires an air carrier that is performing operations requiring three pilots (flag operation over 8 hour but under 12 hours) to now carry a fourth pilot or line check pilot when conducting operating experience. This is because the FAA believes that when the line check pilot leaves the control seat during cruise operations, the pilot receiving operating experience is no longer under the "supervision" of the line check pilot. The FAA has stated that for the air carrier to be compliant, the line check pilot must be replaced by another line check pilot or the pilot receiving operating experience must also be removed from the control seat and replaced with an appropriately qualified pilot. In either case, it requires operations to be conducted with four pilots, which adds a significant cost to the operation. No safety risk arises by allowing the pilot receiving operating experience to remain in the seat while the line check pilot takes a break, provided the pilot replacing the line check pilot is fully qualified. The duties during cruise flight do not pose such a significant workload demand to justify the FAA's interpretation. In the event of an emergency, both pilots in the control seats are fully qualified to perform their necessary duties and the line check pilot would normally be in a position to return to the flight deck.
Suggested Regulatory Action	Add clarifying text to FAR §121.434 to allow the line check pilot to be away from the control seat during en route operations and allow the pilot receiving operating

	experience to remain at the controls under the circumstances described above.

ITEM 16

RULE CITATION AND SUBJECT	14 C.F.R. §121.370A—SUPPLEMENTAL INSPECTIONS
Description of Rule	All aircraft in operation after December 5, 2007 must have a maintenance program that "includes damage-tolerance based inspections and procedures." Preamble and supplemental guidance materials for this rule imply that DT-based inspections are required for all repairs, alterations and modifications to primary structure.
Description of Shortcomings/Adverse Effects on Air Carrier Operations	The regulation imposes an undue burden on operators, and fails to provide clear and concise guidelines for compliance. For large transport category aircraft, the rule duplicates existing regulations for baseline structure. All post-amendment *45* aircraft are certified with DT-based maintenance programs, and all pre-amendment *45* aircraft have AD-mandated Supplemental Structural Inspection Document (SSID) programs, which are DT-based. Acceptance of these existing procedures as a means of compliance will eliminate this additional undue regulatory burden. In the early 1990's the Aging Aircraft Working Group was tasked by Aviation Rulemaking Advisory Committee to develop a DT-based repair assessment program for repairs, alterations and modifications. After careful consideration, the AAWG (which included representatives from original equipment manufacturer's and regulatory authorities) determined, based upon the empirical data developed by the AAWG, that repair assessment should be limited to the fuselage pressure boundary, and it also determined that these limited requirements were sufficient to ensure the continued airworthiness of the eleven aging models. The SSID AD's also require the evaluation of repairs to Primary Structure Elements outside the fuselage pressure boundary for damage tolerance. Although this rule was included with FAR§121.368, there is no specific requirement within the Aging Airplane Safety Act of 1991 to mandate such DT-based inspections and procedures outside the normal regulatory process.
Suggested Regulatory Action	Adopt the maintenance and inspection processes described in ATA's comments dated May 5, 2003 (FAA Docket 1999-5401) concerning alternatives to the proposed

	requirements.
Resource Savings	One large carrier expects initial (2004 - 2008) cost savings at over $33 million if the rule were eliminated and the various SSID programs for DT-based evaluations of repairs to SSID Ads were harmonized.

ITEM 17

RULE CITATION AND SUBJECT	**14 C.F.R. § 121.645—FUEL SUPPLY: TURBINE-ENGINE POWERED AIRPLANES: FLAG AND SUPPLEMENTAL OPERATIONS**
Description of Rule	Requires fuel loads for international aircraft operations that include ten-percent additional fuel for the total time of the flight, plus an additional thirty minutes of holding fuel plus fuel to an alternate.
Description of Shortcomings/Adverse Effects on Air Carrier Operations	The regulation does not reflect modern aircraft, navigation, air traffic control and communications technologies. The regulation reflects fuel requirements predicated on frequent and significant errors in wind forecasting and reporting. Current wind forecasts are far reliable, more accurate and are on a higher resolution scale than when the rule was issued. Flight plans generated with current forecasting techniques are very accurate and flight plan errors are extremely rare. The inherent inaccuracies in the fuel load requirements under the existing rule results in inefficient fuel planning and unnecessarily reduced revenue payloads.
Suggested Regulatory Action	1. Eliminate the additional ten percent of total time fuel for international flights, or 2. Revise international dispatch rules to be the same as domestic dispatch rules, or 3. Eliminate the requirement for an alternate for flights over six hours.
Resource Savings	One large carrier estimates that reduced fuel carrying costs, increased revenue payloads and a reduction in re-dispatching will result in operations that are more efficient and more than $350,000 estimated fuel cost savings. This carrier anticipates that an additional annual system payload capacity of almost 35-million pounds would be realized if the rule were changed.

ITEM 18

RULE CITATION AND SUBJECT	14 C.F.R. §121.619—ALTERNATE AIRPORT FOR DESTINATION: IFR OR OVER-THE-TOP; DOMESTIC OPERATIONS
Description of Rule	This regulation requires airlines to provide an alternate on the flight release for all domestic operations when destination weather conditions are below a 2000 foot ceiling and three miles visibility during the period one hour before to one hour after the estimated time of arrival.
Description of Shortcomings/Adverse Effects on Air Carrier Operations	1. The regulation is outdated and fails to recognize modern aircraft and airfield inclement weather technologies and aids. 2. The ceiling restriction is not a dispatch regulation and should not be a criterion for requiring an alternate on the flight release. 3. The regulation results in carrying of excess fuel loads and a reduction in revenue payloads. 4. The regulation does not recognize technological improvements in meteorology and in aircraft and operations communication abilities.
Suggested Regulatory Action	For Categories 1, 2 or 3 aircraft operations, reduce minimums to 1000 feet ceiling and one mile visibility one hour prior to one hour after the estimated time of arrival.
Resource Savings	More efficient flight planning and fuel load calculations would result in estimated annual fuel cost savings to one carrier of $750,000 and an additional system revenue payload potential of 75-million pounds.

ITEM 19

RULE CITATION AND SUBJECT	14 C.F.R. §121.471—FLIGHT TIME LIMITATIONS AND REST REQUIREMENTS: DOMESTIC OPERATIONS 14 CFR §§121.481, 121.483, AND 121.485—FLIGHT TIME LIMITATIONS: FLAG OPERATIONS
Description of Rule	These regulations prescribe flight time limitations and rest requirements for domestic and flag operations, respectively. In so doing, they establish air carrier flight crewmember scheduling and flight time operating rules. Among them is the requirement in subsection (c) that "[e]ach pilot who has flown more than eight hours during

	24 consecutive hours must be given at least 18 hours of rest before being assigned to any duty with the certificate holder."
Description of Shortcomings/Adverse Effects on Air Carrier Operations	Current flight time and rest regulations apply rest requirements to scheduled and actual flight time. It is very difficult for air carriers to manage rest requirements based on unpredictable flight time variances due to winds greater or less than forecast, ATC reroutes, and delays, or delays due to airport construction.
Suggested Regulatory Action	A realistic set of rules, which takes into consideration the reduced workload and fatigue associated with piloting new, modern, automated air carrier aircraft, and applies rest to duty rather than flight time and establishes sensible rules for staffing additional pilots for relief in flight (versus additional non-pilot flight crewmembers) is needed. One place to start would be with the elimination of the 18-hour rest requirement in subsection (c).
Resource Savings	More effective and economic scheduling of flight crews.

ITEM 20

RULE CITATION AND SUBJECT	14 C.F.R. §121.621—ALTERNATE AIRPORT FOR DESTINATION: FLAG OPERATIONS
Description of Rule	This rule establishes the requirements for specifying an alternate airport in the dispatch release for flag operations unless the forecasted or reported weather conditions are equal or better than certain minimums, with the proviso that the flight is "scheduled for not more than six hours."
Description of Shortcomings/Adverse Effects on Air Carrier Operations	As with FAR §121.619, the rule has not been changed in many years, and consequently fails to reflect the significant improvements in weather and wind forecasting and reporting that have been achieved worldwide. The six-hour limitation on a no-alternate operation means the air carriers must either re-release all flights over six hours or carry alternate fuel on most long-haul international flights where the fuel supply rule already requires the addition of contingency fuel to "fly for a period of 10 percent of the total time required to fly from the airport of departure to, and land at, the airport to which it is released." Although re-release procedures have become a common way to deal with this FAR limitation, the procedures increase dispatcher workload and therefore staffing requirements.
Suggested Regulatory Action	This FAR should be revised to either eliminate or extend

	the time limitation on IFR-no alternate operations.
Resource Savings	Annual cost savings would be significant, because the number of aircraft required to carry fuel to fly to an alternate airport would be reduced. Fuel loaded and fuel burned per segment would be reduced, and in some instances, additional payload could be carried instead of the alternate fuel.

ITEM 21

RULE CITATION AND SUBJECT	14 C.F.R. §121.655—APPLICABILITY OF REPORTED WEATHER MINIMUMS
Description of Rule	FAR §121.655 establishes the requirement to use the ceiling and visibility values in the main body of the latest weather report to control VFR and IFR takeoffs and landings and initiation of instrument approach procedures on all runways of an airport. If RVR or RVV is reported for the runway, then those values are controlling. In conjunction with other FAA guidance and National Weather Service procedures, the rule was designed to insure that operations were conducted with accurate and appropriate weather reports. Visibility can be reported for the surface (either by a human observer or automated system) or from the level of the air traffic control tower and FAA guidelines determine which value is reported in the main body of the report and which value is reported as a remark.
Description of Shortcomings/Adverse Effects on Air Carrier Operations	Control towers have been built taller (higher than 200 feet—the typical Category I ILS decision height—is not unusual) in recent years. Higher control towers have increased the number of instances of the tower "being in the clouds." In these reduced visibility conditions, the tower visibility is required to be reported in the main body of the weather report, and the surface visibility, which may be considerably better, is appended as a remark. This causes the following problems: 1. On runways without an operational RVR, approaches may be prohibited because of an inappropriate "below minimums" weather report that exists at the tower height. The elevation of the tower observation may be well above the decision height of the available instrument approach. 2. A weather report with a low visibility value may

	trigger an amendment to the terminal forecast, which translates the "below minimums" condition into a new forecast that prevents air carriers from dispatching flights to the airport because it is presumed to be below minimums. The situation is further complicated by the proliferation of automated weather reporting systems, non-reporting of RVR in weather reports, and issues associated with the loss of NWS weather observers and requirements for air traffic controllers to take weather observations.
Suggested Regulatory Action	FAR §121.655 should be revised to correct these anomalies by stating that the surface visibility or RVR controls for FAR Part 121 operations
Suggested Revised Language	"In conducting operations under §§121.646 through 121.653, the ceiling and visibility values in the main body of the latest weather report control for VFR and IFR takeoffs and landings and for instrument approach procedures on all runways of an airport, except when the reported visibility in the main body of the report is less than 4 statute miles, the surface visibility, when provided in the report, controls for VFR and IFR landings and takeoffs and straight-in instrument approaches...." (New language underlined.)
Resource Savings	Undetermined but significant.